

Mr. Chairman, members of the committee,

My name is Dennis O'Neill. I begin by simply thanking you for the opportunity to testify before you today on such a weighty issue as the death penalty. In 2001, I retired from the Florida Department of Corrections after a 30 year career in corrections, the last thirteen of which I held the position of Warden of several different institutions. While Asst. Warden of Florida State Prison, I served for two years as the head of the execution team, answerable in those duties to the Warden, who in that specific area of responsibility, answered directly to the Governor. During this time, we executed two inmates by electrocution, and had several others come down to final hours but received legal stays through the various appellate courts, for a variety of legal issues. I don't have the time to give you my detailed bio, so please allow me to just say that I know the corrections business. And I also know the mythology touted by the public and lawmakers to the effect that capital punishment deters crime, and specifically violence in prison. I would argue that virtually every element of the myth that the death penalty deters crime rises and falls simply on the merits of how such arguments can play off of public and political fears. This myth can also be further exploited to the budget advantage of corrections departments.

An impact of capital punishment that receives little attention is the extent to which the taking of another human being's life diminishes and haunts the lives of so many involved in the execution process – indeed, the extent to which taking the life of another diminishes humanity itself. In my duties as head of the execution team, I had a briefcase – literally – containing various apparatus critical to accomplishing a successful execution, which was locked in a credenza behind my desk. I also had a shoebox – now metaphorically – containing all of the duties and responsibilities required of me as a human being to ensure the successful accomplishment of an execution. The shoebox was kept more securely locked away than the briefcase, simply because it was absolutely essential that I, the human being Dennis O'Neill, not have to ever deal consciously with the reality of what I, Dennis O'Neill, the head of the execution team, was really doing. To this day, despite my own vivid memories, that shoebox remains securely locked away, thank God, most of the time – though I don't mind opening it up and rummaging through the garbage left there for worthwhile opportunities such as being here before you today.

Different people deal with this differently, but all are affected. One not uncommon mechanism for dealing with it by people involved is to make light of it – even joke about it with others. Another not uncommon way of dealing with it is to drink the memories away, and I've seen this on the very afternoon of an execution having been carried out that morning.

Capital punishment dehumanizes a wide spectrum of people. Capital punishment desensitizes human beings to the realities of just how dear human existence is. Capital punishment takes its

toll on individual people and on their families. From a jurisprudence perspective, capital punishment is virtually 100% retributive, and 0% restorative. And I have every reason to believe that your corrections officials here in Montana share these sentiments, whether they are or are not politically permitted to openly state them. Maintaining the professional façade can be a required survival skill, but the emotional toll is a heavy one.

In closing allow me to say that I have also spent time with victims' families while they waited out the completion of an execution, and I have never seen the satisfaction that some of them thought the event was going to bring. Relief? Perhaps yes. But, I would suggest to you that that same relief would have been theirs ten to twenty years earlier with a sentence of life without parole in a secure, maximum security prison, and they would have been that much farther along in picking up the pieces of their own lives.

Thank you again.